

**AGENDA**  
**CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT**  
**Friday, January 7, 2005 AT 1:00 P.M.**  
**ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR**

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**NEW CASES**

- V-04-320** Application of **Mark A. Gayer** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 3 feet, and 2) reduce the rear yard setback from the required 15 feet to 5 feet, for construction of a new accessory structure (i.e., utility/storage shed) on a single-family lot. Property is located at **700 VIRGINIA AVENUE, N.E.**, and fronts 50 feet on the north side of Virginia Avenue, beginning 221 feet west of the northwest corner of Virginia Avenue and Ponce de Leon Place. Zoned R-4 (Single-Family Residential) District. Land Lot 53 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Mark A. Gayer**  
**Council District 6, NPU-F**
- V-04-332** Application of **Lou Ann Shearer** for a special exception from the zoning regulations for construction of a swimming pool adjacent to a street. Property is located at **4240 IRMA COURT, N.E.**, and fronts 170 feet on the west side of Irma Court, beginning at the northwest corner of Irma Court and Mt. Paran Road. Zoned R-2 (Single-Family Residential) District. Land Lot 178 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Viacheslav A. Kozlov**  
**Council District 8, NPU-A**
- V-04-334** Application of **James C. Cheeks** for variances from the zoning regulations to 1) reduce the south front yard setback from the required 40 feet to 15 feet, 2) reduce the north front yard setback from the required 40 feet to 10 feet, and 3) reduce the west side yard setback from the required 7 feet to 3 feet, for construction of a single-family, detached house. Property is located at **162-4 FULTON STREET S.E.**, and fronts 35.65 feet on the north side of Fulton Street, beginning 200 feet west of the northwest corner of Fulton Street and Sydney Street. Zoned RG-3 (Residential General-Sector 3) District. Land Lot 53 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Atlantic Enterprises**  
**Council District 2, NPU-V**
- V-04-335** Application of **Evan J. Hunter** for variances from the zoning regulations to 1) reduce the west side yard setback from the required 7 feet to 1 foot and 2) reduce the rear yard setback from the required 15 feet to 1 foot, for construction of a new, detached garage on a single-family lot. Property is located at **400 ROCK SPRING ROAD, N.E.**, and fronts 60 feet on the north side of Rock Spring Road, beginning 88 feet east of the northeast corner of Rock Spring Road and Monroe Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 57 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Evan J. Hunter**  
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- V-04-336** Application of **Moriama A. Ivory** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 15 feet and 2) reduce the rear yard setback from the required 15 feet to 5 feet, for construction of a single-family, detached house. Property is located at **1081 GILBERT STREET, S.E.**, and fronts 89 feet on the west side of Gilbert Street, beginning 170 feet north of the northwest corner of Gilbert Street and Confederate Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 10 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Moriama A. Ivory**  
**Council District 1, NPU-W**
- V-04-337** Application of **Kevin Cotter** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 10 feet to 9.2 feet, 2) reduce the south side yard setback from the required 10 feet to 3 feet, and 3) increase the lot coverage from the allowed maximum of 40%, to 67%, for construction of a single-family, detached house. Property is located at **2972 NORTHSIDE DRIVE, N.E.**, and fronts 41.4 feet on the west side of Northside Drive, beginning 313 feet north of the northwest corner of Northside Drive and Edinboro Road. Zoned R-3 (Single-Family Residential) District. Land Lot 156 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Kevin Cotter**  
**Council District 8, NPU-C**
- V-04-338** Application of **Sewanu Kponou** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 4.19 feet, for a second story addition to a single-family, detached house. Property is located at **2040 HOWARD CIRCLE, N.E.**, and fronts 60 feet on the north side of Howard Circle, beginning 426.5 feet east of the southeast corner of Howard Circle and McClendon Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 211 of the 15<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Gerald Arasmith**  
**Council District 5, NPU-O**
- V-04-339** Application of **Bradley & Eileen Mackett** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 13 feet, 10 inches and 2) reduce the west side yard setback from the required 7 feet to 4 feet, for construction of a single-family, detached house. Property is located at **1066 HIGH POINT DRIVE, N.E.**, and fronts 50 feet on the north side of High Point Drive, beginning 254 feet west of the northwest corner of High Point Drive and North Highland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 2 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owners: Bradley & Eileen Mackett**  
**Council District 6, NPU-F**

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- V-04-340** Application of **Cris Connelly** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 17 ½ feet to 7 feet, for construction of a single-family, detached house. Property is located at **861 MERCER STREET, S.E.**, and fronts 50 feet on the south side of Mercer Street, beginning 46 feet east of the southeast corner of Mercer Street and Mercer Place. Zoned R-4 (Single-Family Residential) District. Land Lot 11 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Weathersby/Toulme, LLC**  
**Council District 1, NPU-W**
- V-04-340a** Application of **Steven C. Adams** for a variance from the zoning regulations to reduce the south side yard setback from the required 10 feet to 5 feet, for construction of an addition to a single-family, detached house. Property is located at **3603 KINGSBORO ROAD, N.E.**, and fronts 65 feet on the south side of Kingsboro Road, beginning 614.2 feet from the southwest corner of Kingsboro Road and Roxboro Road. Zoned R-3 (Single-Family Residential) District. Land Lot 9 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Britt Meyer**  
**Council District 7, NPU-B**
- V-04-341** Application of **LaVista Realty Partners, LLC** for a variance from the zoning regulations to reduce the useable open space from the required 185,957 square feet to 130,000 square feet, to allow for a mixed-use development. Property is located at **1155, 1165, & 1175 LaVISTA ROAD, N.E.**, and fronts 801.68 feet on the south side of LaVista Road, beginning 150 feet from the southeast corner of LaVista Road and Cheshire Bridge Road. Zoned MR-4 (Multifamily Residential-Sector 4) District. Land Lot 5 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Cranbrook Associates, L.P.**  
**Council District 6, NPU-F**
- V-04-342** Application of **Jeff Ellis** for a special exception from the zoning regulations to allow a second story addition to a legally nonconforming detached duplex, whereas no expansion of a legally nonconforming use would otherwise be allowed. Property is located at **334 8<sup>TH</sup> STREET, N.E.**, and fronts 52.75 feet on the north side of 8<sup>th</sup> Street, beginning 650 feet west of the northwest corner of Eighth Street and Charles Allen Drive. Zoned R-5 (Two-Family Residential) District. Land Lot 54 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Keith Bell**  
**Council District 6, NPU-E**
- V-04-343** Application of **Noel Khalil** for variances from the zoning regulations to 1) reduce the front yard setbacks of Meldon Street and Dorothy Street from the required 40 feet to zero feet, 2) reduce the half-depth front yard setback on Lansing Street from the required 20 feet to zero feet, and 3) reduce the half-depth front yard setback on Jonesboro Road from the required 20 feet to 10 feet. Property is located at **142 MELDON AVENUE, S.E.**, and fronts 250 feet on the south side of Meldon Street, beginning at the southwest corner of Meldon Avenue and Jonesboro Road. Zoned RG-4-C (Residential General-Sector 4-Conditional) District. Land Lot 57 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Mt. Pleasant Outreach Ministries, Inc.**

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**Council District 1, NPU-V**

- V-04-344** Application of **Gamal Tawfik** for a special exception from the zoning regulations to allow for a 6-foot high fence in the front yard setback, where fences are restricted to no more than 4 feet high. Property is located at **1065 W. PACES FERRY ROAD, N.W.**, and fronts 260 feet on the north side of West Paces Ferry Road, beginning 143 feet west of the northwest corner of W. Paces Ferry Road and Ranier Drive. Zoned R-2 (Single-Family Residential) District. Land Lot 181 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Gamal Tawfik**  
**Council District 8, NPU-O**
- V-04-345** Application of **Joseph E. Krebs** for variances from the zoning regulations to 1) reduce the west side yard setback from the required 7 feet to 21 feet, and 2) increase the lot coverage more than the allowed maximum of 50%, to construct a detached garage and its driveway. Property is located at **1147 HUDSON DRIVE, N.E.**, and fronts 50 feet on the south side of Hudson Drive, beginning at the southwest corner of Hudson Drive and N. Virginia Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 1 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Joseph E. Krebs**  
**Council District 6, NPU-F**
- V-04-346** Appeal of **Chapel Partners, LLC** of a decision of an Administrative Officer (i.e., staff person) of the Bureau of Buildings to calculate setbacks for a multifamily development in a C-3 District according to the formula contained in Chapter 28 of the zoning ordinance. Property is located at **425 CHAPEL STREET, N.W.**, and fronts 240.5 feet on the north side of Chapel Street and 105.2 feet on the south side of Dover Street, beginning at the northwest corner of Chapel Street and Haynes Street. Zoned C-3 (Commercial Residential) District. Land Lot 84 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Chapel Partners, LLC**  
**Council District 2, NPU-M**
- V-04-347** Application of **Chapel Partners, LLC** for variances from the zoning regulations to 1) reduce the useable open space from the required 42% to 37%, 2) reduce the side yard setback adjacent to Haynes Street from 12.9 feet to zero feet, 3) reduce the side yard setback adjacent to Dover Street from the required 22.3 feet to 3 feet, and 4) reduce the side yard setback adjacent to Chapel Street from 13 feet to zero feet. Property is located at **425 CHAPEL STREET, N.W.**, and fronts 240.5 feet on the north side of Chapel Street and 105.2 feet on the south side of Dover Street, beginning at the northwest corner of Chapel Street and Haynes Street. Zoned C-3 (Commercial Residential) District. Land Lot 84 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Chapel Partners, LLC**  
**Council District 2, NPU-M**
- V-04-348** Application of **Nabil Hammam** for a variance from the zoning regulations to reduce the north side yard setback from the required 7 feet to 4 feet for construction of a single-family, detached house. Property is located at **273 MATHEWS AVENUE, N.E.**, and fronts 50 feet

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on the east side of Mathews Avenue, beginning 500 feet north of the northeast corner of Mathews Avenue and DeKalb Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 211 of the 15<sup>th</sup> District, DeKalb County, Georgia.

**Owner: Nabil F. Hammam**  
**Council District 5, NPU-N**

- V-04-349** Application of **David Fowler** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 15 feet to 2 feet for addition of a deck, 2) reduce the south side yard setback from the required 15 feet to 2 feet for pool equipment, and 3) increase the lot coverage from the allowed maximum of 35%. Property is located at **2419 WOODWARD WAY, N.E.**, and fronts 100 feet on the east side of Woodward Way, beginning 248.5 feet south of the southeast corner of Woodward Way and Peachtree Battle Avenue. Zoned R-2A (Single-Family Residential) District. Land Lot 112 of the 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Christopher Swann**  
**Council District 8, NPU-C**

- V-04-350** Application of **John E. Seard, Sr.** for variances from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 22 feet, 2) reduce the north side yard setback from the required 7 feet to 1 foot, and 3) reduce the south side yard setback from the required 7 feet to 2 feet, for construction of a second story addition to an existing, single-family detached house. Property is located at **1521 AMANDA STREET, N.E.**, and fronts 40 feet on the south side of Amanda Street, beginning 215 feet east of the southeast corner of Amanda Street and Mayson Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 210 of the 15<sup>th</sup> District, DeKalb County, Georgia.

**Owner: Lanora L. Watson**  
**Council District 5, NPU-O**

- V-04-351** Application of **Raymond Gibson** for variances from the zoning regulations to 1) reduce the front yard setback from the required 50 feet to 40.5 feet, 2) reduce the west side yard setback from the required 10 feet to 9.6 feet, to allow for a 2<sup>nd</sup> story addition to a single-family, detached house. Property is located at **859 BEAVERBROOK DRIVE, N.E.**, and fronts 65 feet on the north side of Beaverbrook Drive, beginning 205 feet west of the northwest corner of Beaverbrook Drive and Howell Mill Road. Zoned R-3A (Single-Family Residential) District. Land Lot 154 of the 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Raymond Gibson**  
**Council District 8, NPU-C**

- V-04-352** Application of **David Butler** for variances from the zoning regulations to 1) reduce the front yard setback from the required 10 feet to 4 feet, 2) reduce the transitional rear yard setback from the required 20 feet to 8 feet, and 3) reduce the usable open space from the required 40% to 31%, and for 4) a special exception from the zoning regulations to reduce the on-site

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parking from the required 58 spaces to 48 spaces. Property is located at **973 MEMORIAL DRIVE, S.E.**, and fronts 51 feet on the south side of Memorial Drive, beginning 302 feet west of the southwest corner of Memorial Drive and Stovall Street. Zoned C-1 (Community Business) District. Land Lot 12 of the 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Eastworks, LLC**

**Council District 5, NPU-N**